

Exhibit 2

1 UNITED STATES DISTRICT COURT
2 FOR THE SOUTHERN DISTRICT OF NEW YORK

3 GOVERNMENT OF THE UNITED)
4 STATES VIRGIN ISLANDS)

5 Plaintiff,)

6 vs.)

1:22-cv-10904-JSR

7 JPMORGAN CHASE BANK, N.A.,)

8 Defendant/Third-)
9 Party Plaintiff.)

10 JPMORGAN CHASE BANK, N.A.)

11 Third-Party)
12 Plaintiff,)

13 vs.)

14 JAMES EDWARD STALEY,)

15 Third-Party)
16 Defendant.)

17 FRIDAY, JUNE 30, 2023

18 CONFIDENTIAL - PURSUANT TO PROTECTIVE ORDER

19 Videotaped deposition of Kimberly
20 Mehlman-Orozco, Ph.D., held at the offices of
21 WilmerHale, 2100 Pennsylvania Avenue NW,
22 Washington, DC, commencing at 8:37 a.m.
23 Eastern, on the above date, before Carrie A.
24 Campbell, Registered Diplomat Reporter and
25 Certified Realtime Reporter.

26 GOLKOW LITIGATION SERVICES
27 877.370.3377 ph | 917.591.5672 fax
28 deps@golkow.com

1 non-profits. So, for example, the Empower
2 Her Network, I provide -- provided guidance
3 on data collection in an advisory capacity,
4 but I wasn't compensated for that.

5 So -- and I've served on task
6 forces to provide guidance on -- but I think
7 that's listed elsewhere in my CV actually,
8 so...

9 But to the best of my
10 knowledge, these are all the paid positions.

11 Q. So your first job that you list
12 here is CEO of Break the Chain?

13 A. Yes.

14 Q. What is Break the Chain?

15 A. That is my company that
16 provides training and technical assistance
17 for businesses as well as the role in which I
18 accept expert witness appointments.

19 Q. And you also have a role as the
20 executive director of Freedom Light, correct?

21 A. Yes, uh-huh.

22 Q. What is Freedom Light?

23 A. It is a not-for-profit that is
24 aimed as providing training and technical
25 assistance specifically for businesses. So

1 that is a part-time role, no more than ten
2 hours per week. But I would say more often
3 than not, less than -- less than that.

4 Q. You mention that you provide
5 training and technical services through Break
6 the Chain, and you then also provide training
7 through Freedom Light; is that correct?

8 A. Correct.

9 Q. What's the difference between
10 the training you provide at Break the Chain
11 and the training you provide at Freedom
12 Light?

13 A. So Freedom Light is
14 specifically oriented towards private
15 businesses. The training through Break the
16 Chain is -- it can be law enforcement. It
17 could be anybody.

18 But specifically through
19 Freedom Light, we're actually producing a --
20 the most recent thing is producing a video
21 that can be incorporated into training
22 curriculum for businesses.

23 Through that capacity in
24 Freedom Light, our largest client, our main
25 client, has been doing reoccurring trainings

1 sort of the historical evolution of documents
2 related to commercial sex.

3 So, for example, I have an
4 original copy of the Maiden Tribute of Modern
5 Babylon, which is a, you know, a newspaper
6 from the late 1800s that was one of the first
7 times there was a mass dissemination on, you
8 know, quote/unquote, human
9 trafficking-related issues.

10 I have books from the early
11 1900s, like, from Dance Hall to White
12 Slavery, which talks about what in the early
13 1900s they thought led to sex trafficking.

14 So things like that, you know,
15 to conduct research and to better understand
16 how this issue has evolved over time, and the
17 implications current laws have on businesses
18 and how they have had implications on
19 businesses and business-related practices
20 over the last hundred years.

21 Q. And what do you do with that
22 research?

23 A. So as I had mentioned, one of
24 the things that I'm working on through
25 Freedom Light is a third book that would be

1 focused on specifically businesses as well as
2 evolution and intersection between commercial
3 sex and sex trafficking. It's been a work in
4 progress. And so a lot of that primary
5 material would go into that book and would be
6 deemed -- I would consider authoritative text
7 specifically geared towards informing
8 businesses about this pernicious crime and
9 how -- you know, what is the evidence base to
10 combat it, and some of the issues and
11 barriers and challenges to address this
12 issue. So the book is one.

13 I've written op-eds, some with,
14 like, my -- I think some of them have been
15 with the hat of Freedom Light and some, you
16 know, with the hat of Break the Chain. But
17 dissemination of evidence-based information,
18 I think, would be key, but also informing and
19 creating evidence base for the trainings.

20 Unfortunately, a lot of the
21 trainings on the market currently have
22 misinformation that I think misinforms
23 businesses, which is problematic. And so
24 providing a stronger evidence base to educate
25 businesses on this issue, I think, is

1 important, and that's part of what the
2 research is done to inform.

3 Q. How many trainings have you
4 developed through Freedom Light?

5 A. So, like, how many trainings
6 have I developed, what do you mean by that?
7 For, like, different types or just different
8 industries or, like, specific products?

9 Q. So when I went to Freedom
10 Light's website --

11 A. Yeah.

12 Q. -- there was a section I think
13 on training or materials, and it said "coming
14 soon."

15 A. So that is mostly -- the
16 "coming soon" element is where -- that's
17 where we're going to put links to the
18 dissemination platform for that video that
19 has that been in production for the last two
20 years or so. So we created a video that -- I
21 don't remember the name of the platform that
22 we're disseminating through, but specifically
23 it's, you know, through -- it'll have a link
24 on our website to that specific dissemination
25 platform.

1 A. Yes.

2 Q. So we talked about Break the
3 Chain. We talked about Freedom Light.

4 What was your role at Mahn,
5 Mehlman & Associates?

6 A. The same things, doing expert
7 witness work and training and technical
8 assistance for businesses.

9 Q. So your name is in the title.
10 I assume that you founded Mahn, Mehlman &
11 Associates?

12 A. Yes.

13 Q. And who is Mahn?

14 A. Jessie Mahn. She's an
15 immigration attorney.

16 Q. And you are not an attorney,
17 correct?

18 A. No, ma'am.

19 Q. So you had Mahn, Mehlman &
20 Associates from the fall of 2016 to the
21 winter of 2018, correct?

22 A. I believe so.

23 Q. And why did you discontinue
24 Mahn, Mehlman & Associates?

25 A. Jessie ended up moving across

1 Again, it was a while ago, but
2 essentially educating them on the human
3 trafficking subject and some of the barriers
4 to successful identification and
5 intervention, things of that nature.

6 Q. Was this subcontracting work
7 full-time?

8 A. No.

9 Q. How many hours a week would you
10 spend as a subcontractor for Rand
11 Corporation?

12 A. I do not remember.

13 Q. Was it less than 20 hours a
14 week?

15 A. I don't remember.

16 Q. Prior to your work
17 subcontracting at the Rand Corporation, you
18 list the Justicia Institute.

19 Did you found this institute?

20 A. Yes.

21 Q. Why did you found it?

22 A. I honestly don't remember sort
23 of the reasons why I founded it, but I think
24 my recollection is to bridge the gap between
25 policy and action. There was a huge gap

1 the coursework in 2009, but I don't think I
2 turned in my master's thesis until, like, the
3 fall of 2009. So I think the official
4 graduation date is winter of 2010. Like,
5 January of 2010, something like that.

6 Q. And what is your graduation
7 date with your doctor of philosophy?

8 A. August of 2012 is the best of
9 my recollection.

10 Q. And did you earn your master of
11 arts as part of the overall Ph.D. program at
12 George Mason?

13 A. Sorry, say that again.

14 Q. Sure.

15 The criminology degree at
16 George Mason, the Ph.D. program, did it have
17 an option for you to earn your master's, or
18 were those two totally separate programs?

19 A. Two totally separate programs.
20 So I applied and completed, I think -- so I
21 applied, completed my bachelor degree.
22 Applied, and I had not yet completed my
23 master's when I applied for the Ph.D. program
24 and was accepted. But they were -- they had
25 separate -- I mean, I have separate degrees.

1 They were not joint programs whatsoever.

2 Q. What did you do in between 2005
3 and when you began your master of arts
4 program?

5 A. I was a GED adult basic
6 educational workplace essential skills
7 teacher for a period of time at the adult
8 detention center at Princeland County jail.

9 I don't remember if I was
10 teaching at the time. So I've taught on and
11 off at George Mason, undergrad classes.

12 I taught at University of
13 Maryland-College Park from around 2012 to
14 around 2014 or so.

15 Q. Under the doctor of philosophy,
16 where you list your doctor of philosophy
17 degree, it states, "Dissertation: The
18 'Crimmigration' Effect: An analysis of 287(g)
19 and Latino/a representation in the US
20 juvenile justice system."

21 Do you see that on your CV?

22 A. Yes, ma'am.

23 Q. Did you mention human
24 trafficking in your dissertation?

25 A. No. So I had -- I had taken

1 graduate-level coursework on human
2 trafficking with a woman by the name of
3 Louise Shelley, who is one of the few
4 professors that actually had classes,
5 specific graduate classes, on trafficking at
6 the time. I had asked her to do a -- my
7 dissertation on human trafficking.

8 However, since there wasn't
9 any -- I came from a very heavily
10 quantitative department, and there was no
11 quantitative data collection on human
12 trafficking available at the time. As I'm
13 sure you're aware, the FBI's Uniform Crime
14 Report didn't even have a data point on
15 trafficking until 2013, which I think was
16 published in 2014.

17 So for that reason, I was told
18 by my program that I could not do my
19 dissertation on trafficking, and -- even
20 though Dr. Shelley was somebody who was
21 willing to provide oversight for that
22 doctoral dissertation.

23 So I did something that I
24 thought was not too far, too far removed,
25 looking at, you know, immigration and

1 erroneous criminalization, but it wasn't
2 something that was possible to have been done
3 in 2012 because of the lack of quantitative
4 data.

5 Q. Under your dissertation, your
6 CV states, "Expertise: Human trafficking,
7 human smuggling, immigration, survey methods
8 and systematic review."

9 Do you see that?

10 A. Yes, ma'am.

11 Q. What does that mean,
12 "expertise" here?

13 A. I would say it's my subject
14 matter area of expertise. So I think that I
15 had some expertise and background in each of
16 those specific subjects.

17 For example, I took several
18 classes where I had to do -- in as well as
19 part of my graduate research positions where
20 I had to do systematic reviews. In one class
21 I did a meta-analysis from those systematic
22 reviews and formally trained in survey
23 research methods. And I have utilized that
24 in my research where I have done it on human
25 trafficking since then.

1 Immigration, human smuggling,
2 human trafficking, those are all sort of
3 related to the courses that I took,
4 graduate-level courses, during my current --
5 during my graduate education.

6 Q. So this is your
7 self-description right here under expertise.
8 This is not a certification --

9 A. Oh, correct.

10 Q. -- given to you by George
11 Mason, correct?

12 A. Yes.

13 I apologize for interrupting
14 you again. I'm so sorry.

15 Q. That's okay. It's sort of
16 natural conversation. This is an unnatural
17 format. I get it.

18 You mentioned that you took
19 graduate-level classes relating to human
20 trafficking.

21 Which classes are those?

22 A. I don't remember offhand. This
23 was ten -- over ten years ago. I know that
24 Dr. Louise Shelley was working on her book on
25 human trafficking at the time of my class,

1 and I believe we actually reviewed a version
2 of it that was prior to publication.

3 So she had a class that was
4 specific -- my recollection, it was called
5 human smuggling and human trafficking,
6 something like that. So that was one class.

7 I took classes on foreign
8 nationals and crime, which focused on human
9 trafficking.

10 I don't remember each and every
11 class that talked about trafficking at the
12 time because, again, it was a burgeoning
13 subject that criminologists were looking at,
14 other than Louise Shelley. Louise Shelley
15 was somebody who had been looking at it for a
16 number of years, specifically in Europe, as
17 well as in the United States.

18 But what comes to mind just
19 mostly immediately is Dr. Shelley's class is
20 wholly focused on human trafficking and
21 smuggling.

22 But I know that there were
23 several other classes.

24 Q. You taught at a couple of
25 universities. You mentioned that earlier,

1 correct?

2 A. Yes, ma'am.

3 Q. Okay. Did you ever have a
4 tenured or a tenure track position at a
5 university or college?

6 A. No, ma'am.

7 Q. These are all adjunct
8 positions, correct?

9 A. I think -- I don't know if it
10 would be considered adjunct. I think for
11 University of Maryland I was considered an
12 instructor, but it was not tenure track.

13 And for Mason, I think it was
14 adjunct for sure.

15 Q. So under teaching experience
16 here, is this a complete list of the classes
17 that you taught at a college or university?

18 A. The best of my recollection,
19 yes. I believe so.

20 Q. So the first class that you
21 taught at Prescott College says, "Surviving
22 and Thriving Beyond Sex Trafficking," right?

23 A. It's not the first class I
24 taught, but it's the first one listed in
25 this -- in my CVs, yes, that's correct.

1 Q. And you taught that class for
2 one semester, correct?

3 A. Correct. And it was more of a
4 directed study class with a Ph.D. candidate.
5 So it wasn't a course of students.

6 Q. You said "candidate." It was
7 just a one-on-one?

8 A. A Ph.D. candidate, somebody who
9 had not yet finished their Ph.D. who was
10 going through the process to become a Ph.D.

11 Q. But you said "candidate,"
12 singular. Does that mean it was one student?

13 A. Oh, correct.

14 Q. The rest of the classes that
15 you mention here, are any of them -- did any
16 of them relate to human trafficking?

17 A. I incorporated human
18 trafficking material into all of my classes.
19 So I wouldn't say -- just -- same thing with
20 the courses that I took at Mason. Only one
21 of them was entirely focused on human
22 trafficking, which was Dr. Shelley's, but
23 there were several other classes where human
24 trafficking was incorporated into the
25 material.

1 So Social Inequality Crime and
2 Justice talked about human trafficking in
3 that.

4 Law and Justice Around the
5 World talked about human trafficking in that.

6 Human Rights Injustice talked
7 about human trafficking in that.

8 Intro to Criminal Justice, I
9 don't remember if I talked about human
10 trafficking in that one.

11 Race and Crime, if we did talk
12 about trafficking in that it would be
13 specifically oriented towards the
14 racialization of human trafficking crimes in
15 the United States and how they've been
16 interpreted and processed over time.

17 Q. But you're not sure if you
18 talked about human trafficking or race and
19 crime; is that right?

20 A. I'm not -- I don't recall.
21 This was a while ago. So this was almost ten
22 years ago, so I don't recall.

23 But I know for certain in Human
24 Rights and Justice, Law and Justice Around
25 the World and Social Inequality Law and

1 Justice.

2 Q. What about Law of Corrections?

3 A. I don't know. I don't think
4 so.

5 Q. About what Foreign Nationals in
6 Crime?

7 A. The best of my recollection is
8 yes. I think that was actually a --
9 actually, I'm going to say yes, definitively
10 yes, because that was a course that I
11 developed myself. So this was not something
12 developed by the university; it was a course
13 that I developed.

14 Q. And I'm assuming it's the same
15 as the course at George Mason with the same
16 title, in terms of the curriculum?

17 A. I think both of them were
18 courses that I developed.

19 Q. And what percentage of the
20 class related to human trafficking?

21 A. I have no idea. This was a
22 decade ago. I don't remember. And I mean,
23 it would just be purely speculative for me to
24 guess.

25 Q. Less than 50 percent?

1 A. For sure less than 50 percent.

2 Q. Less than 25 percent?

3 A. Possibly. I mean, I don't
4 remember, but I would say for certain less
5 than 50.

6 Q. In the GED Workplace Essential
7 Skills and Adult Basic Education, I'm
8 assuming there's no human trafficking there,
9 correct?

10 A. No. That was classes that I
11 taught to inmates at the jail.

12 Q. The first three classes you
13 mentioned, Social Inequality Crime and
14 Justice, Law and Justice Around the World,
15 and Human Rights and Justice, what percentage
16 of those classes were devoted to human
17 trafficking?

18 A. I don't remember. I think some
19 students actually criticized for how much I
20 talked about human trafficking compared to
21 other professors. I don't remember how much.
22 But that was my subject matter area of
23 expertise, and a lot of students were very
24 much interested in that topic, which is why
25 they took it from me as opposed to another

1 professor. I don't remember how much of the
2 material, though.

3 Q. Was it less than 50 percent?

4 A. I would say probably.

5 Q. And other than the first class
6 that we talked about where it was a directed
7 study with a potential Ph.D. candidate, were
8 any of these classes on your list
9 graduate-level classes?

10 A. No, they were not.

11 Q. Looking now at page 89 of your
12 report --

13 A. Uh-huh.

14 Q. -- so on your CV under
15 Publications --

16 A. Uh-huh.

17 Q. -- is this a complete list of
18 your publications?

19 A. So there's publications that
20 are separate from reports. So it's not
21 everything that I've written, because there's
22 that second delineation, but let's see.

23 I think so. I'm just trying to
24 see if the Projected Heros peer-reviewed
25 journal article is here. Yeah, that's there.

1 I think this should be a
2 complete list.

3 Q. Are all of these publications
4 published in peer-review journals?

5 A. No. Clearly not.

6 Q. How many of these are published
7 in peer-review journals?

8 A. So on page 90, the Projected
9 Heros, Self-Perceived Manipulators, that's
10 published in a peer-review journal article.
11 That's one.

12 I think the two articles, the
13 Mentions of Dental Hygiene and Decisions in
14 Dentistry, I think those are two peer-review
15 journal articles. So that's three.

16 The Safe Harbor Legislation for
17 Juvenile Victims of Sex Trafficking on
18 page 91, that's a peer-review journal
19 article.

20 My book is not a peer-reviewed
21 journal article, but it was reviewed by
22 peers. So it was reviewed by Louise Shelley.
23 It was reviewed by John Cotton Richmond, who
24 is a former prosecutor. They provide blurbs,
25 like, on the back. So it wasn't a

1 peer-review process, but it's a hybrid
2 academic/commercial press. So there was, I
3 think, a vetting of the information to some
4 degree.

5 So I'd say four if you're only
6 counting the journal -- four if you're only
7 counting the journal articles.

8 Q. When you say your "book," do
9 you mean Hidden in Plain Sight?

10 A. Yes, ma'am.

11 Q. You wrote another book called
12 The Jihadi Next Door: How ISIS is Forcing,
13 Defrauding and Coercing Your Neighbor into
14 Terrorism, correct?

15 A. Correct.

16 Q. Does that book relate to human
17 trafficking?

18 A. No, it doesn't relate to human
19 trafficking, but it does discuss how the
20 methods of recruitment into organized crime
21 such as terrorism can -- are tangentially
22 similar to methods of recruitment control
23 used by traffickers.

24 Q. So does the word "trafficker"
25 or "trafficking" appear in your book?

1 A. I do not recall. I mean, at a
2 very minimum it might be in the bio about me
3 because, you know, I'm not an expert on
4 terrorism whatsoever.

5 Q. If you look at page 93 --

6 A. Uh-huh.

7 Q. -- you list Scholarly
8 Presentations.

9 A. Uh-huh.

10 Q. These are presentations that
11 you've given; is that correct?

12 A. Yes, I think so. Or that I've
13 given alongside somebody else.

14 Q. And why do you call them
15 scholarly presentations?

16 A. I think because of the ac -- or
17 the audience is more academic as opposed to
18 general public.

19 Q. You also have a subject called
20 other presentations.

21 What's the difference between
22 scholarly presentations and other
23 presentations?

24 A. I think the other presentations
25 were more for, like, nonacademic audiences

1 murder.

2 Q. So when did you first serve as
3 an expert witness?

4 A. On human trafficking?

5 Q. On any matter.

6 A. I don't remember what year that
7 was.

8 Q. Was it before you earned your
9 Ph.D.?

10 A. I don't think so.

11 Q. But you believe 2016 is the
12 first time that you served as an expert in a
13 trafficking case?

14 MS. ELLSWORTH: Object to the
15 form.

16 THE WITNESS: I don't -- it
17 wasn't the first time I served. I
18 think 2016 was the first time I might
19 have been disclosed as an expert.

20 That's the best of my recollection.

21 QUESTIONS BY MS. BOGGS:

22 Q. So from 2016 to 2023, the cases
23 that you have listed here, there are
24 46 cases; is that correct?

25 A. You want me to count them?

1 Q. Yes, if you can take a minute.

2 A. Okay. Yep, I count 46.

3 Q. Okay. And I think you
4 mentioned this earlier. Your work in the Doe
5 v. JPMorgan case is not listed on your CV; is
6 that correct?

7 A. Yes. I think it might have
8 been just inadvertently omitted because of
9 the quick turnaround.

10 Q. And then obviously you're
11 serving as an expert in this case. So
12 48 cases total during this time period; is
13 that fair?

14 A. I believe so. I'm just looking
15 to make sure some of the recent cases are
16 listed here.

17 Yeah, I think this is
18 everything.

19 Q. Have you ever been asked not to
20 testify after you submitted an expert report
21 in a case?

22 A. Asked not to testify?

23 Q. Correct.

24 A. I don't think so, but there are
25 many case -- like, I've never -- nobody said,

1 trafficking expert, he did not feel it was
2 necessary for me to testify. So I didn't
3 ultimately testify in that case.

4 Q. Have your opinions regarding
5 secondary exploitation ever been limited?

6 A. Not to my knowledge. I know
7 that there was a challenge on secondary
8 exploitation in the Pioro case, but because
9 it was getting ready to go for a motion for
10 summary judgment, I think, which the
11 defendants prevailed on, I don't think there
12 was ever any kind of debate or discussion of
13 that.

14 I do know, though, however,
15 recently in the United States v. -- the
16 United States of America v. Mei Xing, there
17 were -- so I was testifying on behalf of the
18 defense. And the prosecutors, when I started
19 to talk about secondary exploitation, they
20 objected. But it was overruled by the judge,
21 and I was ultimately allowed to discuss
22 secondary exploitation in that federal case.

23 Q. Have your opinions in any
24 matters ever been voluntarily withdrawn?

25 A. I think in the Pioro case they

1 with -- like, they withdrew the secondary
2 exploitation just because it was getting
3 ready to go for summary judgment. And they
4 thought they would prevail, so they just
5 didn't want to waste time defending it, is my
6 recollection.

7 Q. And who told you that they were
8 withdrawing it because they didn't want to
9 waste time defending it?

10 MS. ELLSWORTH: Objection.

11 Again, a reminder not to
12 disclose conversations with counsel
13 who retained you.

14 THE WITNESS: Yeah, I don't
15 think I can state.

16 QUESTIONS BY MS. BOGGS:

17 Q. So your testimony is that the
18 counsel -- your testimony is that it's your
19 understanding that your opinion was withdrawn
20 because counsel didn't want to waste time
21 defending it, but you will not testify about
22 what counsel told you or your basis for that
23 statement; is that correct?

24 A. No. I probably could have
25 rephrased that.

1 I'm speculating about why I
2 think they withdrew it. I just know that
3 they withdrew it.

4 Q. So you don't know why they
5 withdrew it?

6 A. No. But my guess is that what
7 I had said earlier.

8 Q. What is your guess based on?

9 A. Based off of where they were
10 procedurally in the case, and I would say
11 just overall understanding of the case and
12 where they were at.

13 Q. Did you review the class
14 certification order in Doe v. JPMorgan?

15 A. I don't recall, but I believe
16 it was provided to me and I saw it. I don't
17 remember, though, for certain.

18 (Mehlman-Orozco Exhibit 3
19 marked for identification.)

20 QUESTIONS BY MS. BOGGS:

21 Q. I'm handing you a document that
22 has been marked as Mehlman-Orozco Exhibit 3.

23 Do you recognize Exhibit 3?

24 A. Yes, I do recognize it.

25 Q. What is Exhibit 3?

1 A. No, ma'am, I'm not.

2 Q. You're not a psychiatrist,
3 correct?

4 A. That is correct.

5 Q. You're not a medical doctor,
6 correct?

7 A. That is correct.

8 Q. You're not a mental health
9 professional, correct?

10 A. That is correct.

11 Q. You are not an expert on
12 banking regulations, correct?

13 A. That is correct. I don't
14 purport to be.

15 Q. And you're not an expert on
16 banking compliance, correct?

17 A. That is correct.

18 Q. You do not have any expertise
19 regarding the Bank Secrecy Act, correct?

20 A. Again, I'm not an expert on
21 banking regulations.

22 Q. Prior to this case, have you
23 ever worked in a financial institution?

24 MS. ELLSWORTH: Object to the
25 form of the question.

1 THE WITNESS: What do you
2 consider a financial institution?

3 QUESTIONS BY MS. BOGGS:

4 Q. Let's make it easy. A bank.

5 A. Yeah. I worked for a mortgage
6 company during undergrad, I think, at some
7 point.

8 Q. Prior to this case, have you
9 ever testified on behalf of a financial
10 institution?

11 A. No.

12 Q. Outside of this case, have you
13 ever consulted with a financial institution
14 in regard to human trafficking?

15 A. No. However, I was contacted
16 by somebody in Congress, some -- somebody who
17 wanted me to testify at a hearing of some
18 kind based off of anti-trafficking efforts
19 within the financial services industry.

20 I have really tried to look for
21 that e-mail. I cannot find it. But there
22 were -- there was verbal conversations.
23 There were e-mails exchanged. This was many
24 years ago. I want to say it could have been
25 around 2016 or so, but, again, I don't

1 regulatory requirements, I don't purport to
2 be an expert on that.

3 I think that there was another
4 expert, Ms. Pesce, that was retained for
5 those related issues.

6 Q. When you mentioned regulatory
7 guidance and best practices, what are you
8 referring to?

9 A. Again, everything related to
10 financial service guidelines and regulations,
11 that is not my area of expertise.

12 My area of expertise is
13 anti-trafficking initiatives and red flags.
14 So things related to that are what I'm
15 familiar with.

16 Again, I don't know how that
17 fits in within the grand scheme of regulatory
18 requirements. That's out of the purview of
19 my expertise.

20 Q. You said, "I'm obviously
21 familiar with the materials that have been
22 released since 2014 in the guidance documents
23 and whether they're considered best practices
24 and evidence-based practices, and I was aware
25 of those materials prior to my retention on

1 this case."

2 What materials are you
3 referring to there?

4 A. My recollection is that there
5 were documents related to the banking
6 industry that were published by Polaris.
7 There are the FinCEN guidance documents. I
8 mean, there are a number of materials that I
9 reference in my report that I was just
10 familiar with.

11 I'm familiar with general
12 guidance by the Department of Homeland
13 Security and the attempts to apply that
14 guidance to various businesses.

15 I think, again, just my area of
16 expertise is specifically focused on
17 trafficking. How that's incorporated into
18 any other industry-specific guidance I think
19 is a different area of expertise.

20 Q. Okay. [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 A. No, I don't think so.

24 Q. Prior to working on this case,
25 had you heard of a suspicious activity

1 report?

2 A. No, I don't think so.

3 Q. Prior to working on this case,
4 had you heard of a currency transaction
5 report?

6 A. No, I don't think so.

7 Q. So I'm assuming you also, prior
8 to working on this case, had not seen a
9 currency transaction report.

10 Is that fair?

11 A. I don't believe so.

12 Q. Are you familiar with FinCEN?

13 A. Yes.

14 Q. What is FinCEN?

15 A. I don't know the specific, I
16 guess, definition or the role, but I know
17 that it's an enti -- or, like, basically the
18 FinCEN guidance produced guidance
19 documents -- or FinCEN-produced guidance
20 documentation related to best practices, what
21 they perceived as best practices, on human
22 trafficking. So as far as what that
23 institution is or how they fit within the
24 financial services industry, that's out of my
25 expertise.

1 to security within their particular business
2 that'll learn from attending conferences on
3 how to combat a certain issue.

4 So, for example, you might have
5 a security officer that oversees security
6 within, like, a casino and how to identify
7 trafficking within a casino. That's one
8 individual who has been, you know, contacting
9 me. They want the video version of the
10 training now after attending a conference.

11 And if we could pause, if this
12 is a good --

13 Q. Sure.

14 A. I don't if you want -- I'm
15 happy to --

16 Q. Sure. If I could ask you one
17 more follow-up question --

18 A. Sure.

19 Q. -- and then we can take a
20 break.

21 You said that less than five
22 businesses have contacted you for direct
23 training.

24 What are the names of those
25 businesses?

1 A. Again, I don't think I can tell
2 you because of privacy agreements that were
3 signed.

4 Q. So those --

5 A. That is my recollection.

6 Q. The five businesses made you
7 sign NDAs?

8 MS. ELLSWORTH: Object to the
9 form.

10 THE WITNESS: I don't remember
11 it was exactly five, and I don't
12 remember -- again, I don't even know
13 for my case -- like, for the human
14 trafficking cases I've served on, some
15 of them have protective orders. Like,
16 some of it has protective orders, some
17 of it has NDA, but, yes, I have signed
18 NDAs in the past, and I have been
19 contacted by companies that have had
20 me sign NDAs.

21 So I'm thinking of one
22 specific -- I think there's two that
23 I'm thinking of specifically. For the
24 other ones that I don't -- I don't
25 exactly know, and I just don't want to

1 speak out of turn as far as whether
2 there's an NDA or not.

3 QUESTIONS BY MS. BOGGS:

4 Q. Okay. So you cannot provide
5 me -- you believe you cannot provide me a
6 name today of any one of your clients for
7 which you've conducted training; is that
8 correct?

9 A. I can provide you with a name,
10 but I'm going to retrain from doing so out of
11 concerns related to privacy of whether there
12 is an NDA or a protective order in place.

13 Q. So you are not agreeing to
14 provide me the name of a single client for
15 which you've conducted training; is that
16 fair?

17 MS. ELLSWORTH: Objection.
18 She's made clear the basis for the
19 confidentiality.

20 THE WITNESS: I would like to
21 tell you the names of them, but I'm
22 just concerned about privacy, and I
23 just don't want to violate any privacy
24 regulations.

25 I can tell you the industries.

1 I mean, I've provided trainings in the
2 dating -- dating industry, in -- I
3 don't know how to -- another one is an
4 app. It's not a dating app. It's
5 another kind of an app. But I don't
6 want to give too much information
7 because it's a well-known app.

8 QUESTIONS BY MS. BOGGS:

9 Q. But no --

10 A. I'm going to check, though,
11 during the break because one of them, there
12 might -- there might be a media article
13 related to it. And if there is -- like,
14 again, there was an NDA on that, so I don't
15 know exactly what I can say if there is a
16 media article that references it.

17 I will come back after the
18 break and let you know which business that
19 was.

20 MS. BOGGS: Okay. We can go
21 off the record.

22 VIDEOGRAPHER: The time is
23 11:11 a.m., and we are going off the
24 record.

25 (Off the record at 11:11 a.m.)

1 sell the book in proposal form, so you don't
2 write the whole manuscript. It's not like a
3 fiction book where you would write the whole
4 manuscript. You write the proposal first
5 that has a detailed outline of each of the
6 chapters.

7 I've had, you know, different
8 iterations of proposals that I've worked on
9 over the years for this particular book, but
10 we're hopefully going to finish a book
11 proposal that will be shopped around to
12 publishers sometime over the summer. So it's
13 still in progress, but I think it would be,
14 you know, submitted in the near future.

15 Q. You said that your book is
16 about sex trafficking in businesses, correct?

17 A. Not just sex trafficking, but
18 the intersection between the commercial sex
19 industry and sex trafficking in its
20 application to businesses, but also the
21 evolution, the historical evolution, over
22 time.

23 So one of the tentative titles
24 that I had thought about was something to the
25 effect of, Innocent villains and guilty

1 heros: The truth behind America's failing
2 war on sex trafficking. I think that was,
3 like, a tentative title that we were possibly
4 looking at.

5 But it's also very -- I mean,
6 it has a basis in history in the evolution of
7 the commercial sex industry and how sometimes
8 there are companies and organizations that
9 can be scapegoated, and there can be
10 organizations and companies and entities that
11 purport to be, I guess, heroes for victims,
12 but that's not necessarily how it plays out
13 behind the headlines, so...

14 Q. In this book, who are the
15 innocent villains?

16 A. I don't define anybody as an
17 innocent villain, per se. There's not
18 somebody who is stated as an innocent
19 villain.

20 Q. But what types of entities do
21 you believe are scapegoated?

22 A. I wouldn't say I make a
23 conclusion that anybody is scapegoated, per
24 se, but if you look at -- so if you look at
25 the evolution of the commercial sex industry

1 of these allegations. Not definitively
2 saying this person is an innocent villain or
3 this person is a guilty hero, but it's
4 talking about that evolution.

5 Q. Do you talk about plaintiffs'
6 lawyers in your book?

7 A. No. I don't think so.

8 Q. Do you intend to talk about
9 plaintiffs' lawyers in your book?

10 A. What do you mean by plaintiffs'
11 lawyers? Like, do you -- I mean, what do you
12 mean by that?

13 Q. Sure.

14 So plaintiffs' lawyers are
15 typically lawyers who represent plaintiffs in
16 lawsuits.

17 A. I know what they do. Yeah.

18 Q. But, yeah. So what I mean by
19 that is you have some opinions in this case,
20 you know, about Brad Edwards and people who
21 represent victims or are bringing TVPA
22 claims.

23 A. I have opinions about Brad
24 Edwards?

25 Q. You have information about Brad

1 Edwards in your complaint in the secondary
2 exploitation section, correct?

3 A. I don't have --

4 MS. ELLSWORTH: Object to the
5 form.

6 You said "complaint." I think
7 you meant report.

8 MS. BOGGS: Yes. Thank you.

9 THE WITNESS: I don't have any
10 opinions about Brad Edwards.

11 But does somebody who is an
12 alleged victim of Epstein has opinions
13 about Brad Edwards? Yes. [REDACTED]
14 [REDACTED] does have opinions about Brad
15 Edwards.

16 Are there articles published by
17 plaintiff lawyers that I might
18 reference in the book? Sure. One
19 example of it is the article by Julie
20 Dahlstrom called Trafficking to the
21 Rescue, where she essentially talks
22 about feeding on trafficking cases as
23 trafficking cases for the litigation
24 advantages it offers.

25 There are also a number of

1 plaintiffs' attorneys who have
2 admitted to that. Is it possible that
3 I'll talk about that in book? Sure.

4 But I don't have any opinions
5 about Brad Edwards, and I don't think
6 I've levied any opinion in my merits
7 report about Brad Edwards or any
8 plaintiff attorney attached to this
9 case whatsoever.

10 QUESTIONS BY MS. BOGGS:

11 Q. Other than the example you just
12 mentioned about Julie Dowel {sic}, do you
13 have any other examples about TVPA cases in
14 your book?

15 A. Julie Dahlstrom. It's
16 D-a-h-l-s-t-r-o-m.

17 Q. Thank you.

18 A. Yeah, no problem.

19 I think that was published in
20 the UC-Davis law review as well.

21 Any opinions about the --

22 Q. Any other examples about TVPA
23 cases in your book?

24 A. What do you mean by TV -- like,
25 just TVPA -- like -- well, so this isn't a

1 socioeconomic background, that, in and
2 of itself, does not equate to
3 trafficking. Again, it has to involve
4 the force, fraud, coercion, deception,
5 threat or debt bondage. I mean, one of
6 these elements needs to be there if she
7 is over the age of 18. If she is not
8 over the age of 18, consent is not an
9 affirmative defense."

10 Do you see that?

11 A. Yes, ma'am.

12 Q. And that was your sworn
13 testimony, correct?

14 A. Yes, ma'am.

15 Q. And do you stand by that
16 testimony here?

17 A. Yes, ma'am. Absolutely.

18 And I think I state to that in
19 the report, consent is not an affirmative
20 defense for exploitation.

21 So a person who is exploited in
22 the commercial sex industry is a minor,
23 cannot consent to be exploited, and to have
24 an unfair benefit from their labor.

25 And I believe the preface to

1 that answer, though -- the question was
2 regarding pimping-prostitute relationships,
3 so I want to put that in context. But, yes.

4 Q. What do you mean by that? I'm
5 not sure I quite understand the context.

6 A. So you had read out loud the
7 answer from page -- from line 13 to 18.

8 Q. Right.

9 A. You had read my answer, but the
10 question was:

11 "And I guess what I'm getting
12 at here is, let's say you have a pimp
13 who engages in a pimping relationship
14 with a young woman who is from a
15 rougher background, again, maybe drug
16 abuse, maybe psychological problems,
17 maybe a rough background. Would you
18 view that disparity, the disparity in
19 power that results from the woman's
20 background, as itself sex trafficking?"

21 So the answer that you read was
22 in relation to -- it was in response to that
23 question.

24 Q. Okay. Let's look at page 73,
25 line 22.

1 appendix of my report of things I relied
2 upon.

3 I know that there was some
4 testimony after Epstein's death, that the
5 judge allowed testimony from several
6 individuals. I read those transcripts. I
7 read a number of transcripts for others in
8 affiliated or related cases.

9 I don't recall everything, but
10 I would just refer to the report and what I
11 cited.

12 Q. Have you talked to law
13 enforcement about its investigation of
14 Epstein?

15 A. Personally?

16 Q. Yes.

17 A. No.

18 Q. Did you ask to speak with
19 anyone in law enforcement?

20 A. No.

21 Q. I think earlier you said you
22 have not interviewed any of Epstein's
23 victims.

24 Is that correct?

25 A. That is correct.

1 So I think that it's important
2 to know that, one, not all minors are
3 considered to be victims of trafficking, even
4 if they are involved in the commercial sex
5 industry. But, two, even if they are
6 actually victims of trafficking, they're
7 frequently misidentified by trained
8 authorities with more investigative power.

9 Q. Are you identifying -- are you
10 alleging that any victims have been
11 misidentified here?

12 A. Again, I don't think that I --
13 I'm not making any legal conclusion of
14 whether somebody is a victim, a
15 co-conspirator or a non-victim. But if you
16 look at trends, it is important to realize
17 that this is a common trend and a common
18 issue affecting trafficking cases, this
19 misidentification issue.

20 And based off of the totality
21 of information, as well as the common threads
22 across cases, it is highly atypical for a
23 person receiving a significant financial
24 benefit to be considered in criminal courts
25 as a victim, only, and not also a

1 A. Are you being facetious?

2 That -- no, of course not.

3 Q. So how can you say that no one
4 at JPMorgan talked to any victim or received
5 any overt disclosure?

6 A. There is no evidence in the
7 record to suggest that, that I have reviewed.

8 Q. When you say here, "Plaintiffs
9 and plaintiffs' named experts are attempting
10 to hold private businesses such as banks to a
11 higher standard," what is your basis for
12 that?

13 A. Based off of the standard that
14 was in existence at the time for law
15 enforcement and their expectations to
16 intervene versus what was the expectation for
17 businesses at that time, but also the
18 hindsight bias and the confirmation bias
19 that's being applied in many cases, including
20 what appears to be happening in the present
21 matter, given the information that's in your
22 named expert's report.

23 Q. What standard are you saying is
24 being applied?

25 A. By standard is being applied?

1 Q. You said "Based off of the
2 standard that was in the existence at the
3 time for law enforcement and their
4 expectations to intervene versus what the
5 expectation for businesses at that time, but
6 also" -- and then you talk about hindsight
7 bias.

8 A. Okay.

9 Q. What is the standard that was
10 in existence at the time for law enforcement?

11 A. What was expected for law
12 enforcement generally understood at that time
13 to be a -- what should catalyze an
14 investigation and an arrest. And at that
15 time it wasn't -- I mean, so it's applying
16 the generally understood information that was
17 available to law enforcement as well as the
18 generally understood standard and information
19 that was available to private businesses.

20 So, for example, to give you a
21 distinction, law enforcement, the majority of
22 law enforcement, were still not actively --
23 there wasn't mandated training on human
24 trafficking at that time. And they -- most
25 of them misunderstood it.

1 In 2010, in fact, there wasn't
2 even a data point, not even a single data
3 point, on trafficking that was disseminated
4 by the FBI's Uniform Crime Report. It wasn't
5 disseminated.

6 It wasn't collected until 2013
7 and disseminated in 2014. And most law
8 enforcement agencies weren't even collecting
9 data.

10 And if you look at data from
11 Amy Farrell, who has conducted a number of
12 interviews with law enforcement officers, she
13 has published -- and I think she's actually
14 cited by your expert in her report -- she
15 talks about the high rates of
16 misidentification of trafficking, even by
17 trained law enforcement and untrained law
18 enforcement, and some of the organizational
19 institutional barriers to effectuating change
20 in the way they identify cases.

21 So I'm basing it off of a
22 wealth of information at the time, extant
23 peer-reviewed journal articles and research
24 on identification and misidentification, the
25 standards and the availability of evidence

1 and data, the participation in national data
2 collections and the dissemination of that
3 data, and just the availability of
4 information as a whole on how human
5 trafficking happens, and the ability of law
6 enforcement to identify and intervene.

7 Q. So this is based on your
8 assessment of the literature at the time.
9 You're not pointing to some specific
10 standards. You can't point me to best
11 practices in law enforcement in 2012; is that
12 correct?

13 MS. ELLSWORTH: Object to the
14 form.

15 THE WITNESS: Well, you also --
16 that's a difficult question to answer
17 because, as I'm sure you've read in my
18 report, I'm critical of best
19 practices. Best practices are
20 oftentimes not evidence-based
21 practices and are based off of
22 misinformation.

23 I could certainly cite to you
24 to the existence and availability of
25 information in 2008, 2010, versus, you

1 know, more recently. I have been an
2 invited presenter to the Police
3 Executive Research Forum, for example,
4 to talk about the evolution of this
5 information and the availability to
6 law enforcement.

7 So it's a combination of
8 factors, but I would not say as an
9 evidence-based, you know,
10 identification or expectation, there
11 is not one in existence for law
12 enforcement.

13 There were some best practices,
14 I think, that came out possibly after
15 2010. Again, I'd have to refer to
16 some of the materials that I would
17 cite in the report. I'm not going to
18 be able to cite to everything from
19 memory.

20 QUESTIONS BY MS. BOGGS:

21 Q. Sure.

22 But I guess my question is,
23 when you say "standard," I guess -- I'm a
24 lawyer, so a standard is when you're looking
25 at whether a practice is unfair, you look at

1 these three factors. So when you say
2 "standard," you're not referring to some
3 objective standard that can be applied, some,
4 you know, black letter law standard. You're
5 talking about something a little more
6 subjective.

7 Is that fair?

8 MS. ELLSWORTH: Objection to
9 the form of the question.

10 THE WITNESS: It's an
11 interesting question you're asking,
12 just because of the nature of the
13 allegations in this particular case.

14 There is no such standard, even
15 currently. Even as I sit here today,
16 there is no such standard for
17 businesses or for law enforcement.

18 And to that effect, one of the
19 things that I do cite to is actually
20 an article that was recently published
21 by the Journal of Human Trafficking
22 that was produced by scholars -- or I
23 think the research was conducted by
24 scholars at Harvard, which identified
25 there is no evidence base to support

1 the efficacy of the Department of
2 Homeland Security indicia.

3 So there is no standard that I
4 can point to you that I would say is
5 reliable as an evidence base.

6 QUESTIONS BY MS. BOGGS:

7 Q. I guess my question is more
8 basic. You're referring to a standard. I
9 don't get what standard you're talking about.
10 Because you're saying no standard exists, but
11 you're talking about standards.

12 You say, what was expected for
13 law enforcement generally understood at that
14 time -- sorry. "Based off the standard that
15 was in existence at the time for law
16 enforcement and their expectations to
17 intervene versus what was the expectation for
18 businesses at the time."

19 And I'm just trying to figure
20 out what standard or expectations you're
21 imposing. Because if I could see, okay, it's
22 the 2014 standard from this agency, I can
23 pull it and I can see what the standard is.
24 But I'm having a hard time figuring out what
25 standard you're applying.

1 A. I'm --

2 MS. ELLSWORTH: Just object to
3 the form.

4 Sorry. Go ahead.

5 THE WITNESS: The standard I'm
6 applying is the generally accepted
7 understanding from experts within the
8 field on the expectations for law
9 enforcement at that time and the
10 information that's available.

11 So I'm trying to find a way
12 that I can further explain what that
13 means, but I cannot point you to a
14 specific document and say -- I'm
15 sorry, I forget your name.

16 QUESTIONS BY MS. BOGGS:

17 Q. Paige.

18 A. Paige. I can't say, Paige,
19 this is the standard that was at the time,
20 because it didn't exist. It was just
21 generally understood of what was a common
22 thread and theme as far as the standard
23 operating procedures and practices across law
24 enforcement agencies.

25 Same thing as I can talk about

1 what was the standard or was generally
2 accepted across businesses at that time, and
3 the evolution and understanding and
4 availability of best -- quote/unquote, best
5 practice indicia and either the reliability
6 or lack thereof on the basis of extant data.

7 If you're looking at kind of --
8 if you wanted me to cite to what a standard
9 was or what was generally accepted
10 information, one thing that I'm pretty sure I
11 cite to in here is in 2011, The Campbell
12 Collaboration did a systematic review of
13 human trafficking interventions and evaluated
14 the reliability of the evidence base of them
15 and found that they were mostly of low
16 quality, and there wasn't anything that, you
17 know, stated it worked as far as being an
18 intervention to prevent trafficking of
19 persons.

20 Also, whenever it's a good time
21 to take a break.

22 Q. Sure. But if we could go five
23 more minutes, that would be great.

24 A. Yeah, sure. Great.

25 Q. Are there any circumstances

1 under which you think a bank should be held
2 responsible under the TVPA?

3 A. In any -- are you saying in any
4 realm -- like any circumstance? Is there a
5 circumstance when a private business,
6 including a bank, should be held to -- should
7 be liable under the TVPA?

8 Q. That's correct.

9 A. Yes, I can conceptualize
10 situations where that should be -- that would
11 probably be deemed appropriate.

12 Q. Can you give me a fact pattern?

13 MS. ELLSWORTH: Object to the
14 form.

15 THE WITNESS: I don't know of
16 any cases off the top of my head, but
17 a fact pattern that I would
18 potentially imagine or can
19 conceptualize is there was an overt
20 disclosure by a trafficker to a teller
21 saying that I'm involved with
22 trafficking; my girls are going to be
23 depositing cash into my account; I
24 don't want any record of that. Can
25 you look the other way and allow them

1 to -- and don't take their
2 identification documents.

3 And this particular teller
4 takes the cash and deposit it in
5 accordance and receives additional
6 money for that. And maybe several
7 other tellers are made aware of it, as
8 well as the bank manager, and they all
9 are sort of engaged in this conspiracy
10 to look the other way and receive
11 additional funding to look the other
12 way while this person is, you know,
13 putting their money into a particular
14 bank account and maybe giving them
15 advice on how to launder that money or
16 kind of what the caps are of when they
17 would be discovered.

18 I mean, I'm just coming --
19 making something up as I go along. I
20 haven't seen a particular case, but I
21 think, you know, it would more likely
22 than not involve some sort of an overt
23 disclosure, or if not, there would be
24 something that is more of an active
25 facilitation that you would see in

1 criminal convictions or prosecutions.

2 QUESTIONS BY MS. BOGGS:

3 Q. If you look at page 29, you
4 have a section on misidentification by health
5 care providers.

6 A. Yes.

7 Q. Okay. At the end --

8 MS. ELLSWORTH: 29, did you
9 say?

10 MS. BOGGS: Yes, of her report.

11 MS. ELLSWORTH: Thank you.

12 QUESTIONS BY MS. BOGGS:

13 Q. If you look at the last
14 paragraph, it states, "While the red flags of
15 trafficking that can be screened for in
16 medical fields are not empirically supported
17 by rigorous and reliable research, they are
18 beginning to be referred to as best practices
19 and are being included in trainings and
20 published guidance. For example, best
21 practice indicia may include pelvic trauma,
22 neglected care and even tattoos indicating
23 ownership or sex work, which include names,
24 dollar signs, references to money, and
25 tattoos on the neck or pelvis, among others.

1 doesn't really apply to this case because
2 that wasn't what was happening. The alleged
3 victims were not depositing cash into
4 Epstein's account, according to the
5 allegations.

6 Q. You say, "At a minimum, there
7 has to be an availability of an
8 evidence-based and reliable indicia," but
9 then you say earlier that no reliable indicia
10 existed at this time.

11 Correct?

12 A. At a minimum, if it's a third
13 party without direct involvement without an
14 overt disclosure case.

15 Q. Let's look at page 188 of your
16 book, and that is Mehlman-Orozco Exhibit 6.

17 A. (Witness complies.)

18 Q. Let's look at the last full
19 paragraph on page 188.

20 You say, "Anti-trafficking
21 legislation should not be designed to hold
22 third-party businesses accountable if they
23 are not directly involved. It is extremely
24 difficult to identify human trafficking
25 offenses. Even police misidentify victims

1 with frequency. As such, we shouldn't expect
2 business owners to be able to discern the
3 difference. Instead, legislation should
4 facilitate partnerships and information
5 exchange to assist police investigations."

6 Do you see that?

7 A. Yes.

8 Q. Do you still hold that opinion?

9 A. So that I guess breaking it
10 down sentence by sentence, "Anti-Trafficking
11 legislation should not be designed to hold
12 third-party businesses accountable if they
13 are not directly involved."

14 If there is no venture, there
15 is no direct involvement, they are not
16 complicit. They are not facilitating. And I
17 think there is -- I mean, again, this is my
18 personal opinion, that there -- I don't think
19 that there is a reason why they should be
20 held to a higher standard than law
21 enforcement.

22 So I go on to say that "It is
23 extremely difficult to identify human
24 trafficking offenses. Even police
25 misidentify victims with frequency."

1 That also stands true for a
2 variety of different businesses. Despite the
3 interventions that they put in place, they
4 cannot completely eradicate trafficked labor
5 or source materials from trafficking because
6 it's very difficult to identify.

7 "As such, we shouldn't hold" --
8 "we shouldn't expect business owners to be
9 able to discern the difference."

10 I think without reliable
11 indicia, I think expecting them to discern
12 the difference when law enforcement can't
13 even do that themselves, I think it's a
14 Sisyphean task, and I think it's very
15 difficult. And I don't think that that's
16 appropriate given the clandestine nature of
17 these crimes.

18 "Instead, legislation should
19 facilitate partnerships and information
20 exchanged to assist police investigations."

21 I agree with that, that
22 partnership's important, and I think that's a
23 goal for many pieces of legislation.

24 Q. Okay. Let's look at the first
25 full sentence on page 189.

1 the issues related to secondary exploitation,
2 but it also can -- I mean, yes, I think it
3 covers a lot of -- sort of this general
4 concept of secondary exploitation.

5 So in addition to the examples
6 I gave, I mean, piggybacking other issues or
7 other social initiatives off of trafficking
8 in order to further an alternative or
9 ulterior agenda could be a type of secondary
10 exploitation. But I didn't think -- I don't
11 think I was really conceptualizing that, per
12 se, as secondary exploitation in the draft, I
13 guess, summary chapters.

14 Q. How can you tell whether
15 someone is engaging in secondary exploitation
16 versus trying to sincerely help victims?

17 A. How can I determine it? It's
18 not something that I would determine.

19 How can a person or an entity
20 or a trier of fact determine it?

21 Q. That's correct.

22 A. I think that that remains to be
23 seen. I think that the purpose of me
24 bringing up secondary exploitation is to make
25 a trier of fact aware of this phenomenon and

1 this concern that's raised among others
2 within the field.

3 I think an ultimate
4 determination -- it's the same sort of thing
5 that's being developed with delineating when
6 a victim of trafficking or somebody who
7 facilitates the victimization of others can
8 be perceived as a co-conspirator as opposed
9 to a victim of a particular crime.

10 So that -- that's being, I
11 guess, determined in courts across the
12 country.

13 Same thing with whether
14 something is consistent with secondary
15 exploitation or not. I think it's looking at
16 the totality of the information, and it's
17 looking at whether something is consistent
18 with a sincere expression of information
19 versus, you know, potentially being motivated
20 by ulterior objective.

21 Q. You tell victim stories as part
22 of your work, correct?

23 A. I think that I do bring
24 anecdote into some of my work, for sure.

25 Q. And you make a substantial

1 portion of your living from human trafficking
2 work, correct?

3 MS. ELLSWORTH: Object to the
4 form of the question.

5 THE WITNESS: Again, as an
6 expert within this field, this is my
7 area of expertise, so I do make money
8 off of human trafficking.

9 But to the extent -- if you're
10 attempting to insinuate that I'm
11 engaged in secondary exploitation,
12 that's one of the reasons why I make a
13 point to be the only expert who
14 actively volunteers my time and serves
15 as a pro bono expert to survivors of
16 trafficking, because I don't take any
17 money from survivors. I would never
18 accept money from survivors.

19 And I make a point to also
20 donate my money to survivors to help
21 them thrive post-rescue, not just my
22 money but my time as well, and to give
23 them opportunities to thrive
24 post-rescue.

25 So I understand, again, given

1 your position, what you might be
2 trying to insinuate, but I think it's
3 very different what I do and the
4 information that I try to produce and
5 my philanthropic pro bono efforts when
6 it comes to survivors. I don't stand
7 to gain, and I don't want to gain,
8 anything off of a survivor, ever,
9 because of what they've been through.

10 So I think that, you know, I
11 completely understand the basis for
12 your question, but I vehemently
13 disagree.

14 QUESTIONS BY MS. BOGGS:

15 Q. Well, I'm not saying it. I'm
16 asking a question.

17 What I'm asking is, how can you
18 tell -- you're saying that you're not
19 exploiting human trafficking survivors.

20 What I'm saying is, how can --
21 how can you tell? How can you differentiate?

22 So someone might view that you
23 are engaging in secondary exploitation,
24 correct, and then you would deny it?

25 So who determines that?

1 MS. ELLSWORTH: Object to the
2 form.

3 THE WITNESS: I would invite
4 anybody who thinks that I am engaged
5 in secondary exploitation to look at
6 my body of work and to look at the
7 amount of time that I've dedicated to
8 assisting survivors.

9 I would invite anybody who
10 would make any allegation like that
11 against me to look at the totality of
12 the information behind what I do.

13 I think that one of the reasons
14 why I tend to be a very compelling
15 expert is because I testify
16 truthfully, and I testify on base of
17 state-of-the-science research, and I
18 think my intentions come across in how
19 I convey information.

20 I am an objective party, or I
21 try to be. Again, that's how I'm
22 trained as a social scientist, to
23 objectively evaluate information
24 that's put before me.

25 And I think that anybody who

1 would make an accusation like that of
2 me, then I just welcome them to look
3 at my body of work and who I am as a
4 person. So...

5 QUESTIONS BY MS. BOGGS:

6 Q. You said that you're the only
7 expert witness who does pro bono work?

8 A. I am the only person that I
9 know of that has served as a pro bono expert
10 witness.

11 Now, I know people volunteer
12 their time in a variety of capacities, but as
13 serving as an actual expert witness in court,
14 I think I'm the only one that I know of.

15 Now, not to say that there
16 aren't others. There possibly could be, but
17 I'm the only one that I know of.

18 MS. ELLSWORTH: Could I just
19 get a time check real quick, please?

20 VIDEOGRAPHER: 6 hours,
21 34 minutes.

22 MS. BOGGS: Thank you.

23 QUESTIONS BY MS. BOGGS:

24 Q. Let's look at Exhibit 4.

25 A. Which one? I don't know --